

DEC 08 2022

DEPT. OF REAL ESTATE

By 

1 Department of Real Estate
2 320 West 4th Street, Suite 350
3 Los Angeles, California 90013

4 Telephone: (213) 576-6982

8 BEFORE THE DEPARTMENT OF REAL ESTATE

9 STATE OF CALIFORNIA

10 * * *

11 In the Matter of the Accusation of)

No. H-05279 SD

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EXP REALTY OF CALIFORNIA, INC.;

DEBORAH LYNN PENNY, individually and as
designated officer of eXp Realty of California,
Inc.;

STIPULATION AND
AGREEMENT FOR
PETER T. MIDDLETON

PETER T. MIDDLETON;

JOSE SAMANO;

ABE IVAN CAZAREZ;

CAMILO ANDRES SALDARRIAGA
ARCHILA; and

CHRISTINE KFOURY,

Respondents.

24 It is hereby stipulated by and between PETER T. MIDDLETON
25 (“MIDDLETON”), represented by Brian Slome, Esq., and the Complainant, acting by and
26 through Diane Lee, Counsel for the Department of Real Estate, as follows for the purpose of
27 settling and disposing of the First Amended Accusation filed on August 9, 2022, in this matter:

1 1. All issues which were to be contested and all evidence which were to be
2 presented by Complainant and Respondent MIDDLETON at a formal hearing on the First
3 Amended Accusation, which hearing was to be held in accordance with the provisions of the
4 California Administrative Procedure Act (“APA”), shall instead and in place thereof be
5 submitted solely on the basis of the provisions of this Stipulation and Agreement
6 (“Stipulation”).

7 2. Respondent MIDDLETON received and read, and understands the Statement
8 to Respondent, the Discovery Provisions of the APA, and the First Amended Accusation filed by
9 the Department of Real Estate in this proceeding.

10 3. Respondent MIDDLETON filed a Notice of Defense pursuant to California
11 Government Code section 11506 for the purpose of requesting a hearing on the allegations in the
12 First Amended Accusation. Respondent MIDDLETON hereby freely and voluntarily withdraws
13 said Notice of Defense. Respondent MIDDLETON acknowledges that he understands that by
14 withdrawing said Notice of Defense he thereby waives his right to require the Commissioner to
15 prove the allegations in the First Amended Accusation at a contested hearing held in accordance
16 with the provisions of the APA, and that Respondent MIDDLETON will waive other rights
17 afforded to him in connection with the hearing such as the right to present evidence
18 in his defense and the right to cross-examine witnesses.

19 4. This Stipulation is based on the factual allegations contained in the First
20 Amended Accusation. In the interest of expedience and economy, Respondent MIDDLETON
21 chooses not to contest these allegations, and understands that, as a result thereof, these factual
22 allegations will serve as a prima facie basis for the disciplinary action stipulated to herein. The
23 Real Estate Commissioner shall not be required to provide further evidence to prove said factual
24 allegations.

25 5. It is understood by the parties that the Real Estate Commissioner may adopt
26 this Stipulation as his Decision in this matter thereby imposing the penalties and sanctions on
27 the real estate license(s) and license rights of Respondent MIDDLETON as set forth in the

1 ORDER

2 WHEREFORE, THE FOLLOWING ORDER, is hereby made:

3
4 I.

5 Respondent PETER T. MIDDLETON is publicly reproved.

6
7 DATED: 11/18/2022



8 DIANE LEE,
9 Counsel for Department of Real Estate

10 * * * *

11 EXECUTION OF THE STIPULATION

12 I, PETER T. MIDDLETON, have read the Stipulation and discussed it with my
13 attorney, Brian Slome, Esq. Its terms are understood by me, and are agreeable and acceptable to
14 me. I understand that I am waiving rights given to me by the California APA (including, but not
15 limited to, California Government Code sections 11506, 11508, 11509, and 11513), and I
16 willingly, intelligently, and voluntarily waive those rights, including, but not limited to, the right
17 of requiring the Commissioner to prove the allegations in the First Amended Accusation at a
18 hearing at which I would have the right to cross-examine witnesses against me and to present
19 evidence in defense and mitigation of the charges.

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21 MAILING AND E-MAIL

22 Respondent MIDDLETON shall mail the original signed signature page of
23 this Stipulation herein to Department of Real Estate, Attention: Legal Section – Diane Lee, 320
24 West Fourth Street, Suite 350, Los Angeles, California 90013-1105.

25 In the event of time constraints before an administrative hearing, Respondent
26 MIDDLETON can signify acceptance and approval of the terms and conditions of this
27 Stipulation and Agreement by emailing a scanned copy of the signature page, as actually signed

1 by Respondent MIDDLETON, to the Department counsel assigned to this case. Respondent
2 MIDDLETON agrees, acknowledges, and understands that by electronically sending the
3 Department of Real Estate a scan of Respondent MIDDLETON's actual signature as it appears
4 on the Stipulation and Agreement that receipt of the scan by the Department of Real Estate shall
5 be binding on Respondents MIDDLETON as if the Department of Real Estate had received the
6 original signed Stipulation.

7
8 DATED: 11/18/2022

DocuSigned by:
Pete Middleton
3EABC2FF88074C8
PETER T. MIDDLETON

10 11/18/2022
11 DATED: _____

DocuSigned by:
brian slome
BRIAN SLOME, ESQ.,
Attorney for Respondent PETER T. MIDDLETON
As to form

14 * * * *

15 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
16 Respondent PETER T. MIDDLETON, and shall become effective at 12 o'clock noon on

17 _____

18 IT IS SO ORDERED _____

20 DOUGLAS R. McCAULEY
21 REAL ESTATE COMMISSIONER

23 _____

1 by Respondent MIDDLETON, to the Department counsel assigned to this case. Respondent
2 MIDDLETON agrees, acknowledges, and understands that by electronically sending the
3 Department of Real Estate a scan of Respondent MIDDLETON's actual signature as it appears
4 on the Stipulation and Agreement that receipt of the scan by the Department of Real Estate shall
5 be binding on Respondents MIDDLELTON as if the Department of Real Estate had received the
6 original signed Stipulation.

7
8 DATED: _____ PETER T. MIDDLETON
9

10
11 DATED: _____ BRIAN SLOME, ESQ.,
12 Attorney for Respondent PETER T. MIDDLETON
13 *As to form*

14 * * * *

15 The foregoing Stipulation and Agreement is hereby adopted as my Decision as to
16 Respondent PETER T. MIDDLETON, and shall become effective at 12 o'clock noon on
17 December 28, 2022.

18 IT IS SO ORDERED 12. 2. 22.

19
20 DOUGLAS R. McCAULEY
21 REAL ESTATE COMMISSIONER

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